1 2 3 4 **E-FILED on** <u>12/14/11</u> 5 6 7 IN THE UNITED STATES DISTRICT COURT 8 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION 10 11 12 LI FEN LEE, No. C-09-06058 RMW 13 Plaintiff, ORDER DISMISSING CASE 14 v. PACIFIC RIM ENTERPRISES, et al., 15 16 Defendants. 17 18 On November 1, 2011, the court issued an order to show cause why this case should not be 19 dismissed for failure to diligently prosecute. The court asked Lee to appear on December 2, 2011 20 and to file and serve on defendants' counsel by November 23, 2011, a declaration or affidavit under 21 oath explaining her failure to diligently prosecute the case. As of December 2, 2011, Lee has failed 22 to respond to the order to show cause. Because Lee failed to appear or otherwise show good reason 23 for her failure to diligently prosecute the case, the court hereby dismisses the case without prejudice. 24 25 d M. Whyte 26 27 DATED: 28 United States District Judge

ORDER DISMISSING CASE—No. C-09-06058 RMW GS